

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Y. FUKUNAKA, et al.

Serial No: 10/576,937

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Title: APPARATUS FOR MANUFACTURING METAL NANOTUBE  
AND PROCESS FOR MANUFACTURING METAL NANOTUBE

Art Unit: 1795

Examiner: Luan V. Van

Conf. No.: 9912

International

Application No.: PCT/JP2004/015066

International

Filing Date: October 13, 2004

**LETTER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

July 1, 2010

Sir:

This Letter is responsive to the outstanding Office Action dated June 1, 2010 wherein restriction was required between Group I, claims 1-6 drawn to an apparatus for manufacturing a metal nanotube and Group II, claims 7-10 drawn to a process for manufacturing a metal nanotube. The groups of claims allegedly fail to constitute a special technical feature and hence there is a lack of unity between the cited claims. Applicant was required to elect one of the groups for further prosecution on the merits in the above-identified application.

Responsive to the restriction requirement, applicant provisionally elects, without traverse, for further prosecution on the merits in the present application the invention of Group II to which claims 7-10 are directed. An early action on the merits of the elected invention is requested.

Please charge any shortage in the fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 01-2135 (Case No. 1464.46149X00) and please credit any excess fees to such deposit account.

Respectfully submitted,

  
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RJS/kmh